

U.S. DEPARTMENT OF COMMERCE, PATENT AND TRADEMARK OFFICE		DATE <u>10</u> September 2004 (10.09.2004)
TRANSMITTAL LETTER TO THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US) CONCERNING A FILING UNDER 35 U.S.C. 371		U.S. APPLN. NO. (if known): Not Yet Assigned <b>107507106</b>
INTERNATIONAL APPLICATION NO.: PCT/JP03/02755	INTERNATIONAL FILING DATE: 7 March 2003 (07.03.2003)	PRIORITY DATE CLAIMED: 12 March 2002 (12.03.2002)
TITLE OF INVENTION: GENE PARTICIPATING IN THE SYNTHESIS OF BRASSINOSTEROID		
APPLICANT(S) FOR DO/EO/US: TSUKAYA, Yichi; KIM, Gyung-Tae		
Applicant hereby submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:		
<p>1. <input checked="" type="checkbox"/> This is a <b>FIRST</b> submission of items concerning a filing under 35 U.S.C. 371.</p> <p>2. <input type="checkbox"/> This is a <b>SECOND</b> or <b>SUBSEQUENT</b> submission of items concerning a filing under 35 U.S.C. 371.</p> <p>3. <input checked="" type="checkbox"/> This express request to begin national examination procedures (35 USC 371(f)) The submission must include items(5), (6), (9) and (21) indicated below.</p> <p>4. <input checked="" type="checkbox"/> A proper Demand for International Preliminary Examination was made by the 19th month from the earliest claimed priority date.</p> <p>5. <input checked="" type="checkbox"/> A copy of the International Application as filed (35 U.S.C. 371(c)(2)):</p> <ul style="list-style-type: none"> <li>a. <input checked="" type="checkbox"/> is transmitted herewith (required only if not transmitted by the International Bureau).</li> <li>b. <input type="checkbox"/> has been communicated by the International Bureau.</li> <li>c. <input type="checkbox"/> is not required, as the application was filed in the United States Receiving Office (RO/US)</li> </ul> <p>6. <input type="checkbox"/> A English translation of the International Application as filed (35 U.S.C. 371(c)(2)).</p> <p>7. <input checked="" type="checkbox"/> Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371(c)(3))</p> <ul style="list-style-type: none"> <li>a. <input checked="" type="checkbox"/> are attached hereto (required only if not transmitted by the International Bureau).</li> <li>b. <input type="checkbox"/> have been communicated by the International Bureau.</li> <li>c. <input type="checkbox"/> have not been made; however, the time limit for making such amendments has NOT expired.</li> <li>d. <input type="checkbox"/> have not been made and will not be made.</li> </ul> <p>8. <input checked="" type="checkbox"/> An English language translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)).</p> <p>9. <input checked="" type="checkbox"/> An oath or declaration of the inventor(s) (35 U.S.C. 371(c)(4)).</p> <p>10. <input type="checkbox"/> A translation of the annexes to the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371(c)(5)).</p>		
ITEMS 11 to 20 BELOW CONCERN OTHER DOCUMENT(S) OR INFORMATION INCLUDED:		
<p>11. <input type="checkbox"/> An Information Disclosure Statement under 37 CFR 1.97 and 1.98.</p> <p>12. <input checked="" type="checkbox"/> An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.</p> <p>13. <input type="checkbox"/> A <b>FIRST</b> preliminary amendment.</p> <p>14. <input type="checkbox"/> A <b>SECOND</b> or <b>SUBSEQUENT</b> preliminary amendment</p> <p>15. <input type="checkbox"/> A substitute specification.</p> <p>16. <input type="checkbox"/> A change of power of attorney and/or address letter.</p> <p>17. <input type="checkbox"/> A computer-readable form of the sequence listing in accordance with PCT Rule 13ter2 and 35 USC 1821 - 1825</p> <p>18. <input type="checkbox"/> A second copy of the published international application under 35 USC 154(d)(4)</p> <p>19. <input type="checkbox"/> A second copy of the English language translation of the international application under 35 USC 154(d)(4)</p> <p>20. <input checked="" type="checkbox"/> Other items or information:  <b>TRANSMITTAL FORM; FEE CALCULATION; COVER SHEET OF INTERNATIONAL PUBLICATION WO 03/076626 A1 WITH INTERNATIONAL PUBLICATION DATE 18 SEPTEMBER 2003 WITH ENGLISH TRANSLATION WHICH CONSISTS OF 22 PAGES INCLUDING: 14 PAGES TEXTUAL SPECIFICATION, 2 PAGES OF 13 CLAIMS; 2 SHEETS DRAWINGS; 1 PAGE OF THE ABSTRACT; 7 PAGES SEQUENCE LISTING; PCT/IPEA/416 &amp; PCT/IPEA/409 INTERNATIONAL PRELIMINARY EXAMINATION REPORT WITH ENGLISH TRANSLATION OF CLAIMS AMENDED BY ARTICLE 19 TO BE EXAMINED; PRELIMINARY AMENDMENT WITH ATTACHMENT A TO BE EXAMINED; SEQUENCE LISTING SUBMISSION STATEMENT; SEQUENCE LISTING COMPUTER READABLE FORMAT (CRF); EXECUTED INVENTOR'S DECLARATION; ASSIGNMENT AND RECORDATION COVER SHEET &amp; PCT/IB/306; PCT/IB/308 COMMUNICATION OF THE INTERNATIONAL APPLICATION TO THE DESIGNATED STATES.</b> </p>		

U.S. APPLICATION NO. <small>(if known) not yet assigned</small> <b>10/507106</b>	INTERNATIONAL APPLICATION NO. PCT/JP03/02755	DATE: <b>10</b> September 2004 ( <b>10.09.2004</b> )
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17. <input checked="" type="checkbox"/> The following fees are submitted:	<u>CALCULATIONS</u>	<u>PTO USE ONLY</u>
<b>Basic National Fee (37 CFR 1.492(a)(1)-(5):</b> Search Report has been prepared by the EPO or JPO:.....\$920.00	\$ 920.00	
International preliminary examination fee paid to USPTO (37 CFR 1.482).....\$730.00		
No international preliminary examination fee paid to USPTO (37 CFR 1.482) but international search fee paid to USPTO (37 CFR 1.445(a)(2)).....\$770.00		
Neither international preliminary examination fee (37 CFR 1.482) nor international search fee (37 CFR 1.445(a)(2)) paid to USPTO.....\$1080.00		
International preliminary examination fee (37 CFR 1.482) and all claims satisfied provisions of PCT Article 33(2)-(4) IPEA-U.S.....\$ 100.00		
<b>ENTER APPROPRIATE BASIC FEE AMOUNT =</b>	\$ 920.00	

Surcharge of \$130.00 for furnishing the oath or declaration later than <u>20</u> <u>30</u> months from the earliest claimed priority date (37 CFR 1.492(e)).	\$	
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CLAIMS	NO. FILED	NO. EXTRA	RATE		
TOTAL	<u>19</u> -20=	4	X \$ 18.00	\$ 0.00	
INDEPENDENT	<u>2</u> - 3=	0	X \$ 84.00	\$ 0.00	
Multiple dependent claims(s) (if applicable)			+ \$290.00	\$ 290.00	
<b>TOTAL OF ABOVE CALCULATIONS =</b>				\$ 920.00	
Reduction by 2 for asserting small entity, if applicable. (Note 37 CFR 1.9, 1.27, 1.28).				\$ .00	
<b>SUBTOTAL =</b>				\$ 1,210.00	
Processing fee of \$130.00 for furnishing the English translation later than <u>20</u> <u>30</u> months from the earliest claimed priority date (37 CFR 1.492(f)). +				\$ 0.00	
<b>TOTAL NATIONAL FEE =</b>				\$ 1,210.00	
Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). <b>\$40.00 per property +</b>				\$ 40.00	
<b>TOTAL FEES ENCLOSED =</b>				\$ 1,250.00	
			Amount to be: refunded	\$	
			charged	\$	

ATTORNEY'S DOCKET NO: 26352U

U.S. APPLICATION NO. (if known) not yet assigned <b>10/507106</b>	INTERNATIONAL APPLICATION NO. PCT/JP03/02755	DATE: <b>10 September 2004 (10.09.2004)</b>
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- a.  Three checks in the aggregate amount of \$1,250.00 to cover the above fees is enclosed.
- b.  Please charge my Deposit Account No. 14-0112 in the amount of \$\_\_\_\_\_ to cover the above fees. (A duplicate copy of this sheet is enclosed.)
- c.  The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. 14-0112.
- d. Fees are to be charged to a credit card \_\_\_\_ WARNING: Information on this form may become public \_\_\_\_ Credit Card Information should not be included on this form. \_\_\_\_ Provide credit card information and authorization on PTO-2038

**NOTE:** Where an appropriate time limit under 37 CFR 1.494 or 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed to request that the application be restored to pending status.

Send All Correspondence To:

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Gary M. Nath  
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Registration No. 41,827  
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## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

TSUKAYA et al.

International Application No. PCT/JP03/027555

Serial No. NOT YET ASSIGNED

International Filing Date: 7 March 2003 (07.03.2003)

Filed: September 10, 2004

For: GENE PARTICIPATING IN THE SYNTHESIS OF BRASSINOSTEROID

DT09 Rec'd PCT/PTO 10 SEP 2004

TRANSMITTAL LETTER

Commissioner for Patents

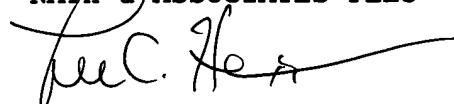
P.O. Box 1450

Alexandria, VA 22313-1450

Sir:

Submitted herewith for filing in the U.S. Patent and Trademark Office is the following:

- (1) Transmittal Letter
- (2) Transmittal Letter To U.S. Designated/Elected Office (DO/EO/US) Concerning Filing under 35 U.S.C. 371
- (3) International Publication No: WO 03/076626 A1  
International Publication Date: 18 September 2003 (07.03.2003)  
With English translation which consists of 22 pages including:
  - 10 pages Textual Specification,
  - 2 pages of 13 Claims,
  - 2 sheets of Drawings,
  - 7 pages Sequence Listing;
- (4) PCT/IPEA/416 & 419 International Preliminary Examination Report with English translation of Claims Amended by Article 19 to be examined;
- (5) Preliminary Amendment with Attachment A to be examined;
- (6) Sequence Listing Submission Statement;
- (7) Sequence Listing Computer Readable Format (CRF);
- (8) Executed Inventor's Declaration;
- (9) Assignment and Recordation Cover Sheet & PCT/IB/306;
- (10) PCT/IB/308 Communication of the International Application to the Designated Offices;
- (11) Check No. 21706 \$ 920.00 for Government Filing Fee;
- (12) Check No. 21707 \$ 290.00 multiple dependent fee;
- (13) Check No. 21708 \$ 40.00 for recordation fee;
- (14) Postcard for early notification of serial number.

Respectfully submitted,  
**NATH & ASSOCIATES PLLC**

By:

Gary M. Nath  
Registration No. 26,965  
Lee C. Heiman  
Registration No. 41,827  
Customer No. 20529

Date: September 10, 2004

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